

DETAILED ACTION

Status of Claims

1. This communication is responsive to amendment filed October 14, 2008, Applicant amended claims 13,21,23. Claims 13,17-25,28-33 remain pending.

Response to Arguments

2. Applicant's arguments, filed 10/14/2008, with respect to claims 13,17-25,28-33 have been fully considered and are persuasive. The previous art rejection is withdrawn. However a new rejection under Monachello is presented below. Applicants arguments are moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 13-16,18-27,30-33 rejected under 35 U.S.C. 103(a) as being unpatentable over Monachello et al (US Patent No 6,748,439).**

5. In reference to claims 13,21 and 23, Monachello teaches corresponding methods and communication system comprising:

receiving from a subscriber on an access network an authentication request, the authentication request identifying the subscriber and identifying a designated service

provider from among a plurality of service providers (column 3 lines 54-56, column 3 line 66 – column 4 line 20, a user sends a request for service, the request includes workstation ID and NSP selection(s));

sending the authentication request to the designated service provider (column 4 lines 25-27);

receiving from the designated service provider an authentication response indicating successful authentication of the subscriber by the designated service provider, wherein the authentication response includes a service qualification, that indicates at least one of (i) one or more types of services authorized for the subscriber and (ii) one or more extents of service authorized for the subscriber, wherein the service qualification specifies one or more types of communication and, for each specified type of communication, specifies whether the subscriber is allowed to engage in the specified type of communication; (column 4 lines 25-31)

responsive to the authentication response, assigning the subscriber to operate in a designated layer of the access network set aside for subscribers that have been authenticated by the designated service provider and to operate according to the service qualification, wherein the access network is an IP network and the designated layer is an IP subnet, and wherein assigning the subscriber to operate in the designated layer comprises assigning to the subscriber an IP address in the IP subnet (column 5 lines 27-60 and column 6 lines 10-14, NSP assigns IP address to the user workstation, a particular virtual circuit is also assigned to the user. Although Monachello fails to explicitly teach subnet, it is obvious that a virtual circuit can be designated as a subnet in accordance with the allocated IP addresses for the purpose of maintaining routing consistency); and

serving the subscriber in the designated layer of the access network and pursuant to the service qualification indicated in the authentication response, wherein serving the subscriber in the designated layer comprises handling communications with the subscriber according to a logic set established for the designated layer (column 6 lines 14-26 & 58-65, handling user communication),

wherein handling communications with the subscriber according to the logic set established for the designated layer comprises: detecting a packet bearing the IP address assigned to the subscriber; and responsively applying the logic set to restrict transmission of the packet, wherein handling communications with the subscriber according to the logic set established for the designated layer comprises disallowing a predetermined type of communication from passing from the first logical layer to outside of the access network (column 7 lines 12-48, packet routing based on IP address. Column 9 lines 30-50, users can only connect to authorized services, a user cannot connect to a service unless the user is associated with that service), and

wherein serving the subscriber pursuant to the service qualification indicated in the authentication response comprises, for each type of communication specified in the service qualification, allowing or disallowing the type of communication by the subscriber as specified by the service qualification (column 9 lines 45-50).

6. In reference to claim 18, Monachello teaches the method of claim 13, further comprising prompting the subscriber to provide the authentication request (column 3 lines 54-56, column 3 line 66 – column 4 line 20).

7. In reference to claim 19, Monachello teaches the method of claim 18, wherein prompting the subscriber for the authentication request comprises: presenting to the subscriber a set of the

plurality of service providers; and prompting the subscriber to select a service provider from among the plurality presented, wherein the subscriber selects the designated service provider from among the plurality (column 3 lines 54-56, column 3 line 66 – column 4 line 20).

8. In reference to claim 20, Monachello teaches the method of claim 13, wherein the access network comprises a wireless access (“wireless” is old and well known in the art and would be obvious to use for the purpose of enabling the use of mobile devices for the convenience of roaming).

9. In reference to claims 22 and 24, Monachello teaches the method of claim 20, further comprising:

prompting a second client station to select a service provider from among a plurality of service providers, and receiving a signal from the second client station, indicating a second selected service provider; sending a second authentication request message for the second client station to the second selected service provider, the second authentication request message indicating authentication information for the second client station; receiving a first authentication response message from the second selected service provider, the first authentication response message indicating that second client station is authenticated by the first selected service provider; and in response to the second authentication response message, restricting the client station to communications in a second logical layer of the access network associated with the second selected service provider (see the above rejection for claims 21 and 23. It is obvious that multiple users/workstations can go through the same steps).

10. In reference to claim 25, Monachello teaches the method of claim 15, further comprising:

before receiving the first indication, assigning the first subscriber to operate in a default logical layer of the access network; and handling communications in the default logical layer according to a default logic set different than the first logic set (column 5 lines 20-60 and column 9 lines 35-37).

11. In reference to claim 30, Monachello teaches the method of claim 13, wherein the subscriber communicates via an air interface with the access network (“wireless” is old and well known in the art and would be obvious to use for the purpose of enabling the use of mobile devices for the convenience of roaming).

12. In reference to claims 31-33, Monachello teaches the method of claims 13,21,23 respectively, wherein disallowing at least the predetermined type of communication from passing from the subscriber to outside of the access network comprises disallowing all communications from passing from the client station to outside of the access network (column 9 lines 45-50).

13. **Claims 17,28,29 rejected under 35 U.S.C. 103(a) as being unpatentable over Monachello et al (US Patent No 6,748,439) in view of Cottingham (US Patent No 6,339,761).**

14. In reference to claims 17,28,29, Monachello teaches the method of claim 13, wherein serving the subscriber in the designated layer of the access network comprises:

a gateway on the access network detecting a web page being sent to the subscriber (Figure 1 reference # 130). Monachello fails to explicitly teach the gateway modifying the web page to include an advertisement for the designated service provider. However, Cottingham teaches an Internet Service Provider advertising system wherein is disclosed inserting advertisements into provided web pages so that the ISP can target customers for business

(column 2 lines 20-67 and column 5 lines 33-67). It would have been obvious for one of ordinary skill in the art to modify Monachello by injecting into the web page information specific to the first service provider as per the teachings of Cottingham so that the ISP can target customers for business.

Conclusion

15. The above rejections are based upon the broadest reasonable interpretation of the claims. Applicant is advised that the specified citations of the relied upon prior art, in the above rejections, are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and/or priority documents) is implied as being applied to teach the scope of the claims.

16. Applicant may not introduce any new matter to the claims or to the specification. For any subsequent response that contains new/amended claims, Applicant is required to cite its corresponding support in the specification. (See MPEP chapter 2163.03 section (I.) and chapter 2163.04 section (I.) and chapter 2163.06)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMY M. OSMAN whose telephone number is (571)272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Ramy M Osman/
Primary Examiner (Temp), Art Unit 2457

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